

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA**

In re:	Chapter 11
BDC GROUP, INC.,	Case No. 23-00484
Debtor.	Hon. Thad J. Collins
	CONSENT MOTION FOR RULE 2004 EXAM OF FARMERS & MERCHANTS SAVINGS BANK

The Official Committee of Unsecured Creditors (the “Committee”) of BDC Group, Inc. (the “Debtor”) hereby moves for entry of an order authorizing the Committee to take the examination of Farmers & Merchants Savings Bank (“F&M”) pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). In support hereof, the Committee states as follows:

1. The Committee brings this Motion under Bankruptcy Rule 2004 to pursue discovery F&M Bank, one the Debtor’s pre-petition banking institutions, for the purpose of investigating the Debtor’s pre-petition operations and conduct and identifying potential estate causes of action which could be pursued for the benefit of creditors and used as a funding source for this chapter 11 case.

2. On September 29, 2023, the Committee contacted F&M Bank, provided it with a copy of the document rider attached hereto as Exhibit 1, and requested that F&M Bank work with the Committee as to an agreeable date, time, and place of production for the bank records.

3. F&M Bank agreed to produce documents responsive to the document rider to the Committee by November 13, 2023.

4. Pursuant to Local Rule 2004-1 counsel to the Committee has conferred with F&M Bank and the parties have reached an agreement for F&M Bank to produce documents responsive to the requests identified on Exhibit 1 on or before November 13, 2023.

WHEREFORE, the Committee requests that the Court enter an Order authorizing and directing F&M Bank to: (i) produce documents responsive to Exhibit 1 to this Motion on or before November 13, 2023, and (ii) granting such other and further relief as is just and equitable.

Dated: October 2, 2023

SMITH GAMBRELL & RUSSELL LLP

By: /s/ Elizabeth L. Janczak
One of Its Attorneys

Shelly A. DeRousse*
Elizabeth L. Janczak*
Tonita M. Helton (Iowa Bar No. AT0009125)
311 South Wacker Drive, Suite 3000
Chicago, IL 60606
Tel: 312.360.6000
Fax: 312.360.6520
Email: sderousse@sgrlaw.com
ejanczak@sgrlaw.com
thelton@sgrlaw.com

**Admitted pro hac vice*

*Counsel for Official Committee of Unsecured
Creditors of BDC Group, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 2, 2023, the *Consent Motion for Rule 2004 Exam of Farmers & Merchants Savings Bank* was served electronically upon those parties receiving electronic notification through the Court's CM/ECF system.

/s/ Elizabeth L. Janczak